

Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 1714

PATENT
ATTORNEY DOCKET NO.: 47233-5002-00-US (216113)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------------|---|---------------------------|
| In re Application of: |) | |
| |) | |
| Seiichiro YAMAMOTO et al. |) | Confirmation No.: 1577 |
| |) | |
| Application No.: 10/551,281 |) | Group Art Unit: 1714 |
| |) | |
| Filed: July 17, 2006 |) | Examiner: Ryan L. Coleman |
| |) | |
| For: A DISCHARGING MECHANISM AND A |) | |
| DISCHARGING METHOD OF SOLID |) | |
| MATTER |) | |

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

- Transmitted herewith is an Amendment in response to the final Office Action dated May 10, 2010.
- Additional papers enclosed:
 - ☐ Drawings: _____ sheet(s) with _____ figure(s)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|-----------------------------------------------|--------------------------|-------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 130.00 | \$ 65.00 |
| <input type="checkbox"/> two months | \$ 490.00 | \$ 245.00 |
| <input type="checkbox"/> three months | \$ 1,110.00 | \$ 555.00 |
| <input type="checkbox"/> four months | \$ 1,730.00 | \$ 865.00 |

Extension of time fee due with this request: \$130.00.

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. § 1.16)

| CLAIMS AS AMENDED | | | | | | |
|-------------------------------------------------------|-------------------------------------------|-------|--------------------------------|------------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. § 1.16(c)) | 18 | minus | 20 | 0 | x \$50 each = | +\$0.00 |
| Independent Claims (37 C.F.R. § 1.16 (b)) | 3 | minus | 3 | 0 | x \$200 each = | +\$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | +\$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | -\$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☐ Enclosed is a check in the amount of _____ for then additional claim fee.
- ☒ Total Fees (\$130.00 for the One-Month Extension of Time Fee) are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.**
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: September 10, 2010

By: 

Hyun J. Jung

Registration No. 59,077

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